

MILFORD CITY COUNCIL
MINUTES OF MEETING
April 12, 2010

The City Council of the City of Milford held a Public Comment Session on Monday, April 12, 2010 in the Joseph Ronnie Rogers Council Chambers of Milford City Hall at 201 South Walnut Street, Milford, Delaware, prior to the commencement of the official City of Milford Council Meeting. The purpose of the informal session is to allow the public to speak about issues of interest that impact the City of Milford.

PRESIDING: Mayor Daniel Marabello

IN ATTENDANCE: Councilpersons Michael Spillane, Jason Adkins, Owen Brooks, Jr., Douglas Morrow and James Starling, Sr.

ALSO: City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

Mayor Marabello declared the Comment Session open at 7:15 p.m.

Collins Batchelor of 417 S. Washington Street commented on the Stormwater Pond recommendations. He is not in favor of the city taking over the responsibilities of the stormwater ponds in new developments. He explained the covenants of those developments require them to be responsible and it is up that developer or association to assess the necessary funds to take care of those ponds. If properly managed, there are sufficient funds. He does not feel it is the responsibility of the citizens in this town to pay for those ponds. His job is association management and his ability to be hired is the need for professional assistance to maintain those ponds to determine sufficient funds are available for future maintenance. He does not want to compete with the City of Milford for this type work.

Paul Goldstein of 15 West Thrush Drive, Meadows at Shawnee then spoke about the Parking Authority and the recommendation to dissolve it. Over the past twenty years, land was purchased and fees were collected from the business owners. He noted that the economy has caused interest and real estate values to be low. He said if the city continues to maintain the parking lots, now is the time to purchase additional properties. He recommended land be purchased and suggested the Northeast Front Street/Goat Island area where waterfront restaurants and stores could be developed to boost economic development.

He then asked the council to continue the parking authority with new appointees to assist with the purchase of new properties. Mr. Goldstein volunteered to serve on the committee.

With no additional persons signed up, Mayor Marabello closed the Public Comment Session at 7:25 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder

MILFORD CITY COUNCIL
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The Regular Monthly Meeting of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers of Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, April 12, 2010.

PRESIDING: Mayor Daniel Marabello

IN ATTENDANCE: Councilpersons Michael Spillane, Jason Adkins, Owen Brooks, Jr., Douglas Morrow and James Starling, Sr.

ALSO: City Manager David Baird, Police Chief Keith Hudson and City Clerk/Recorder Terri Hudson

CALL TO ORDER

Mayor Marabello called the Monthly Meeting to order at 7:31 p.m.

INVOCATION AND PLEDGE

The Pledge of Allegiance followed the invocation given by Councilman Starling.

APPROVAL OF PREVIOUS MINUTES

Motion made by Mr. Adkins, seconded by Mr. Morrow to approve the minutes of the February 24, March 8 and March 22, 2010 council and committee meetings as presented. Motion carried.

RECOGNITION

Proclamation 2010-4/National Telecommunicators Week/Milford Police Department Dispatchers

In attendance were Lieutenant Edward Huey and Police Dispatcher Valerie Springer. Chief Hudson presented Dispatcher Springer with a Certificate of Appreciation for her dedication and outstanding service.

He then read the names of the following dispatchers who were unable to attend:

Carrie Baker, Christina Eames, Rudy Hitchens, Christina Powell and Jamie Tipton.

Mayor Marabello then read the following proclamation into record:

Whereas, emergencies can occur at anytime that require police, fire or emergency medical services; and

Whereas, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

Whereas, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Milford Police Communications Center; and

Whereas, Milford Police Dispatchers are the first and most critical contact our citizens have with emergency services; and

Whereas, the Milford Police Department Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

Whereas, the Dispatchers of the Milford Police Department have contributed substantially to the apprehension of

criminals, suppression of fires and treatment of patients; and

Whereas, we rely on the knowledge, compassion, understanding, patience and professionalism of each dispatcher to make critical decisions, obtain information and quickly dispatch needed aid; and

Whereas, it is particularly fitting we pay tribute to the outstanding performance of the Milford Police Dispatchers who on April 15th, are being rewarded by the Association of Public-Safety Communications Organization with the prestigious Unit Citation Award for a Non-911 Center.

NOW, THEREFORE, I, Daniel Marabello, Mayor of the City of Milford, hereby proclaim the week of April 11, 2010 through April 17, 2010 to be National Telecommunicators Week in Milford, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Milford to be affixed hereto this 12th day of April 2010.

Mayor Daniel Marabello

Snack packs were also presented in appreciation of the dispatchers' hard work.

MONTHLY POLICE REPORT

Mr. Morrow moved to accept the monthly report submitted by Chief Hudson, seconded by Mr. Brooks. Motion carried.

CITY MANAGER REPORT

City Manager Baird then read the following report into record:

Personnel Announcement

Everett Roberts, Head Mechanic with the City has announced his retirement effective Wednesday, April 28. Mr. Roberts has been with the City for the past 15 years. He is planning to have Mr. Roberts recognized by council in the near future.

Bug & Bud Festival

Things are shaping up for the 7th Annual Bug and Bud Festival to be held on Saturday, April 24 beginning at 9:00 a.m. City and volunteer personnel continue to prepare the downtown and riverwalk for this event. Additional details can be found on the DMI website at www.downtownmilford.org

DSWA Landfill Rate Increases (Sanitation Goal)

Milford along with other municipalities that directly contract with DSWA will be attending the DSWA Board meeting on Thursday, April 22 to discuss the possibility of restructuring our solid waste contract to reduce the immediate full impact of the rate increase that will be going into effect July 1.

Mispollion Tributary Action Team (Parks and Recreation/Planning Goal)

The Mispollion TAT is meeting April 12, 2010 at Abbotts Mill Nature Center and will be discussing the specifics of the recommendations to be included in the Pollution Control Strategies. The City continues to play an active role in this group as the PCS will possibly impact how Milford will address its land use management, stormwater management and drinking watershed management in the years to come.

Brush Removal

I would like to recognize all City streets and solid waste employees for their hard work and tireless efforts in removing the massive amount of brush from the City that was left as a result of the February snow storms. City crews worked for weeks removing the brush and debris from City properties. This was a long and tedious job and seemed to be never ending.

2009-10 Budget (Finance Goal)

Budget preparations for the upcoming Fiscal Year are underway and each of you have been sent a copy of the proposed capital budget for next year and the ensuing five years. Preliminary meetings with each of the department heads have been held and a review of their initial budget requests will begin next week. City Council Budget Meetings are tentatively scheduled for the evenings of June 1 and June 2.

Federal Aid Relief

The federal government did declare Delaware a federal disaster area which does make the city eligible for reimbursement for the majority of our snow removal costs.

Mr. Brooks asked when spring clean-up week was scheduled, Mr. Baird advised the week of May 10th.

Mr. Brooks moved to accept the city manager report, seconded by Mr. Starling. Motion carried.

COMMITTEE REPORTS

Charter Review Committee

Chairman Spillane stated the charter review will be discussed later during the meeting.

COMMUNICATIONS

Mayor Marabello announced that Second Ward Councilman John Workman resigned as of April 5, 2010 because of relocating to another town. His seat will be filled at the April 24th election. As a result, no one will be appointed to fill the temporary vacancy.

The mayor then announced that City Solicitor Timothy Willard was recently named a partner in his firm, now known as Fuqua, Yori and Willard.

UNFINISHED BUSINESS

Ward District Realignment/Current Code

Mayor Marabello recalled that Councilman Spillane recently pointed out a problem with some Ward 3 properties not being contiguous with other land in that ward. Solicitor Willard explained there is not enough time to correct it before the April 24th election. He reiterated there are many laws about how representative districts should be drawn. The US Supreme Court has also weighed into it and has charged gerrymandering. In the course of all those decisions, he said they have also concluded that districts must be contiguous. In addition, the City of Milford Charter requires they be contiguous.

Mr. Willard recalled that in 1997, the Meadows at Shawnee was annexed and at some point declared to be part of Ward 3. He feels that technically it is not unconstitutional until a court rules as such, though it is obvious the land is not contiguous to that ward. The charter says that council may redistrict upon annexation or reapportionment which occurs every ten years after the census. Article 9 of the charter states that on the tenth year following the enactment of this charter, which was last done in 1999, the redistricting committee (city council) should submit a redistricting report, in the form of an ordinance, at least six months prior to the election. In this case, he feels it should be corrected prior to the 2011 election. Therefore, he suggests this be accomplished before the next election.

Mr. Adkins asked if this can wait until the 2010 Census is completed. Mr. Willard explained that depends on whether someone takes opposition to it and the court declares the districts are unconstitutional. The order would probably be remedial, so depending on when that occurs, it may be after the census. However, it is his suggestion the city correct the problem as quickly as possible so the option can be addressed this fall.

Mr. Baird asked when the redistricting committee should be established and whether it would impact the 2011 election

or more than likely the 2012 election.

Mr. Willard stated that the charter requires redistricting be done by the first day of January every tenth year which has come and gone. Other areas of the charter state that council may rearrange the boundaries because of reapportionment or annexation. He feels there may be an argument not to follow the whole procedure outlined, though it is Mr. Willard's suggestion it be done.

Mr. Brooks recalled that when this was previously done, former City Solicitor James Fuqua brought several options before council. Council voted on the one they felt was the most balanced population wise. He does not feel basing the numbers of voter registration is suitable because there are a large number of people who are not registered.

Mr. Willard agrees and will discuss the matter with the city manager and report back to city council.

Appointment of City of Milford Election Officers

Mr. Brooks moved to appoint the following Election Officers for the April 24, 2010 City Election, seconded by Mr. Spillane:

Patricia Bailey - Carole Mason
Joyce Todd - Rita Cartwright
1st Ward Clerk-Donna Merchant
2nd Ward Clerk-June Barto
3rd Ward Clerk-Karen Boone
4th Ward Clerk-Teresa Franklin

Motion carried with no one opposed.

Certification of Voter Registration

Mr. Adkins moved to certify the Voter Registration List as presented, seconded by Mr. Morrow. Motion carried with no one opposed.

Appointment of City of Milford Planning Commissioner

Mayor Marabello advised that both candidates were unable to attend because they were ill. Therefore, the item will be postponed.

Subdivision Public Improvements/Not Dedicated/City Services

Mayor Marabello asked Mr. Baird to clarify the purpose of this item being added. Mr. Baird recalled the recent conversation about the snow plowing at Meadows at Shawnee before their public improvements were dedicated to the city. There was a suggestion that reimbursement be requested because other private streets were not plowed during the storms. The mayor asked for council to make a final decision on the matter.

Mr. Brooks pointed out that Meadows at Shawnee was plowed because those improvements were ready to be accepted but because of a minor issue, action was postponed by council and the item was never placed back on the agenda.

Mr. Morrow and Mr. Brooks both agreed it should be left as it is now. The mayor stated the intent is that unless it is dedicated, there will be no work done by the city.

Adoption of Resolution/Local Service Function

Mayor Marabello recalled when City of Dover Resident N.C. Vasuki presented the matter to council at the last meeting and asked for Milford's support on behalf of the City of Dover Council.

Mr. Baird added that Lewes, Smyrna, Harrington and Camden as well as other smaller communities in Kent County have already supported this. As Mr. Vasuki stated, it will be difficult to pursue this session and the intent is to move forward with the matter in January.

Mr. Adkins moved to adopt the Resolution 2010-6, seconded by Mr. Morrow:

A RESOLUTION PROPOSING ADOPTION OF A LOCAL SERVICE FUNCTION BUDGET FOR KENT COUNTY

WHEREAS, the City of Milford provides many local service functions to its residents that are duplicated by Kent County; such as, planning, zoning, engineering, assessments, mapping, code enforcement, parks and recreation, and library; and

WHEREAS, the City of Milford also provides many other local service functions to its residents not furnished by Kent County, such as police protection, fire protection, licensing, street maintenance, street cleaning, street lighting, snow removal, trash collection, and ambulance services; and

WHEREAS, these local service functions provided by the City of Milford are largely financed by taxation of real property within the corporate limits of the City of Milford; and

WHEREAS, Kent County also assesses and collects real property taxes from property owners of the City of Milford without offering relief from county taxation for local service functions provided by the City of Milford which are financed by the same taxpayers; and

WHEREAS, double taxation of property owners in the City of Milford for the same or similar functions is inequitable and unjust and the City of Milford has sought to have the Levy Court of Kent County give recognition to the local services concept and give tax relief to residents of Milford and other incorporated municipalities that provide local services; and

WHEREAS, the General Assembly of the State of Delaware has granted New Castle County local service function legislation that provides relief to taxpayers of municipalities where local service functions are furnished; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, IN COUNCIL MET:

- 1. That a bill be prepared for introduction in the State Legislature authorizing and directing Kent County to prepare its annual budgets in accordance with the Local Services Function Concept.*
- 2. That our State Senators and Representatives be requested to sponsor and support the passage of such legislation.*
- 3. That the Levy Court of Kent County and all incorporated municipalities in the county be furnished a copy of this Resolution.*
- 4. That the Levy Court of Kent County and all incorporated municipalities in the county be requested to support the passage and approval of such legislation.*

Mr. Spillane pointed out this resolution specifically deals with Kent County and asked if similar action has been taken in Sussex County. Mr. Baird said there are discussions in Sussex County though it is not as organized as Kent County's approach. He expects something from Sussex County in the next six months to a year.

Motion carried with no one opposed.

URS Proposal/I&I Study

Mr. Baird reported the next phase of the I&I study involves Phase III of the study, which is currently underway. The total cost of Phase III of the project is \$291,500 which is available through the Sewer Capital Reserve Fund though it may be reimbursed by the bond proceeds the city will issue this year. He added a portion of the sewer work will be paid out of

the funds.

His recommendation is to accept the proposal and move forward with Phase III of the I&I Study.

Mr. Brooks moved to approve the URS Proposal, seconded by Mr. Morrow.

Mr. Brooks noted the city has no choice with the costs of I&I at almost \$800,000 this year; Mr. Baird agreed.

Motion carried by unanimous roll call vote.

City of Milford Charter/Final Draft

Committee Chair Spillane presented the final draft of the amended charter. Mr. Willard explained this will be presented to the General Assembly for adoption along with a resolution. In the meantime, council will take public comment at its next meeting.

Mayor Marabello announced the charter is available on the website for anyone wishing to review it.

NEW BUSINESS

Bid Award/Marshall Street Drain Replacement Project

The city manager reported the intent of this project is to replace approximately 325 feet of twelve-inch storm drains on Marshall Street as well as adding storm drain inlets and a new manhole. This is a result of the DeIDOT project when it was discovered an existing storm drain had collapsed which is the city's responsibility.

Mr. Baird explained they were working with George and Lynch, DELDOT's contractor, though their preliminary quote exceeded the amount permitted to be awarded. It has since been bid and the following proposals received:

Diamond State Excavating, Inc.	Wyoming, DE	\$46,051.00
Christiana Excavating Company	Newark, DE	\$39,020.00
SPRIG Construction Inc.	Middletown, DE	\$55,035.00
Kent Construction Company, Inc.	Smyrna, DE	\$58,140.00
OnSite Construction, Inc.	Seaford, DE	\$91,585.98

It is his recommendation to award the bid to Christiana Excavating Company in the amount of \$39,020 to be paid from the city's Municipal Street Aid Funds. He said some additional engineering fees of \$3,000 will be paid from the street department engineering line item.

Mr. Brooks moved to award the Marshall Street Drain Replacement Project to Christiana Excavating Company in the amount of \$39,020, seconded by Mr. Spillane. Motion carried by unanimous roll call vote.

Mr. Baird thanked city staff and Davis, Bowen and Friedel for their efforts in expediting this process so it could be awarded this evening.

DMI Presentation/City Adoption of Downtown Milford Branding/Logo

DMI President Scott Angelucci informed council they are presenting a Branding and Marketing Program developed by their organization committee that the city is supporting. He then introduced the new DMI Director Lorraine Dion.

Ms. Dion explained that branding is creating a contemporary, exciting image of the city and the community's assets and promotes the city as a unique place to live or place to shop and play. The Delaware Main Street Program, with the assistance of the Delaware Economic Development Office (DEDO) and the USDA Rural Development program, started a statewide initiative to develop an awareness of historic downtowns and Milford was chosen as the pilot program with

funding from the USDA and DEDO.

She further advised that using the combined resources and the guidance from the City of Milford, National Main Street, Delaware Main Street, USDA Rural Development and the National Trust for Historic Preservation, Milford moved forward with a full community branding system to create cohesive and effective marketing of the City's distinctive downtown assets. Arnett Muldrow & Associates, a community planning and branding agency that has worked with more than 180 towns nationwide, developed and unveiled Milford's new look and message during a special presentation March 18th.

The process began in February. Several roundtable discussions followed that were open to the public for the purpose of gathering information about what makes Milford special. They developed not only a brand, but also many facets of implementation including logos, taglines, marketing pieces and more.

Ms. Dion then presented the Milford Community Branding Power Point noting the seal of Milford can be used with the logo.

She then read the brand in order to feel the full impact:

"We are Milford. We are a community born of the river. It is the mill at the crossing of the Mispillion that formed our name. This river was home to two centuries of shipbuilding that made us the center of maritime industry. This river remains our link to the vital waters of this great peninsula. Though the nature of the river has changed and it is no less important to our lives. It bisects our downtown and makes us the heart of two counties and it is the centerpiece of a rebirth centered on recreation, the arts and the community. Our downtown is the heart of our creative transformation. Our galleries, shops and performance spaces are gathering places for people from all walks of life. Our events allow us to celebrate the place we call home. We remain a center of commerce for a rural community, an escape from the pressures of urban life and a community centered on family. We are the kind of the place where a children's class inspires leaders, a landscape inspires artists and a history inspires vision. We are Milford, Delaware—a river town, art town, hometown."

Mr. Angelucci added they have also received several grants through the USDA-RBEG (Rural Business Enterprise Grant). The first grant purchased the kiosk that was placed in the downtown areas. The second component was to purchase signage to assist visitors find their way to the downtown area. He said that one of the things the Mainstreet Community emphasizes is the importance of the gateways or arteries coming into the downtown areas. Also, \$20,000 was received to purchase the banners though they were on hold until the new branding was ready. After they are purchased, they will be placed on the main gateways into the community.

Ms. Dion stated that other groups will also be able to take advantage of this new logo. For example, the Chamber of Commerce can change their font in their logo to share in the concept. Examples were then presented with similar layouts they expect will have an overall positive impact.

She asked that city council adopt the downtown branding for the City of Milford. Mr. Baird explained the city will utilize samples in the city materials such as letterhead, business cards, city website and city vehicles and equipment. He suggested the logo also be considered for the new water tower.

The city manager feels it can be incorporated into the city's operation very easily and asked for a show of support to endorse the new branding and encourage participation by the city while moving forward with Downtown Milford as this is rolled out over the next couple of months.

Mr. Brooks then moved to endorse the branding as proposed, seconded by Mr. Spillane.

Mr. Adkins then asked if these changes will be immediate or a gradual transition as things are needed. Mr. Baird feels that some can be done gradually as things come into need as every logo on city vehicles cannot be done all at once. However, as vehicles are added, it will be done. As we move forward with the water tower project, at least one, if not all the locations will be considered. Letterhead will be changed when it is needed.

Motion carried with no one opposed.

Introduction of Ordinance 2010-5/Conditional Use/Judith Diaz/Daycare Center

Ordinance 2010-5 is being officially introduced to council. A public hearing is scheduled before council on June 28, 2010 at which time final action will be taken.

Ordinance 2010-5/Conditional Use-Judith M. Diaz

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE AUTHORIZING A CONDITIONAL USE PERMIT FOR JUDITH M. DIAZ TO ALLOW A DAY CARE CENTER IN AN R-2 DISTRICT AT 102 N.E. FOURTH STREET, MILFORD, DELAWARE. TAX MAP MD-16-183.10-03-16.00.

Introduction of Ordinance 2010-6/Conditional Use/Jonathan & Jennifer Feindt/Duplexes

Ordinance 2010-6 is being officially introduced to council. A public hearing is scheduled before council on May 24, 2010 at which time final action will be taken.

Ordinance 2010-6/Conditional Use-Matthew & Jennifer Feindt

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE AUTHORIZING A CONDITIONAL USE PERMIT FOR BOB NASH ASSOCIATES, INCORPORATED ON BEHALF OF MATTHEW & JENNIFER FEINDT TO ALLOW DUPLEXES IN AN R-2 DISTRICT AT 302 CARLISLE LANE, MILFORD, DELAWARE. TAX MAP 3-30-7.17.138.00; 3-30-7.17.145.00.

HOA Subcommittee/Stormwater Recommendations

City Manager Baird recalled the presentation made by the HOA Ad Hoc Stormwater Management Committee. A number of specific requests and recommendations were included in the report. He asked council how they wish to proceed. In speaking with council members, there appears to be a number of questions that need to be addressed though council should decide on the next step.

Mr. Spillane said the committee is asking if council wants them to continue to work and proceed with the next step in order to decide whether to take over the ponds.

Mr. Brooks prefers having a full council before a decision can be made on the matter noting that three members were absent.

Mayor Marabello prefers this be discussed at the upcoming workshop. Mr. Morrow asked for some sense of the financial impact over the next five to ten years. Mr. Adkins prefers gauging a preliminary opinion before any further work is done.

The mayor stated the matter will be added to the next workshop agenda.

Proposed Dissolution of the Parking Authority

Mayor Marabello stated that the city manager will discuss this, but asked council to keep in mind what Paul Goldstein stated at the public comment session.

The following letter was received:

2/24/10

*To: Milford City Council and Mayor Marabello
From: Harvey Marvel, Milford Parking Authority Chairman*

RE: Completion of Assignment and Proposed Dissolution of the Parking Authority

In 1974 Milford City Council passed an ordinance establishing the Parking Authority of the City of Milford, Inc. The authority was assigned the task of creating free public parking in the downtown business district, and arranging for the funds to pay for it. The downtown property owners voted to pay a special Parking Authority tax to pay to amortize the loan needed.

I was appointed as a member of the original Authority board of directors, and became chairman in 1976. I am pleased to report that we have completed our assignment. In 1981 we arranged a loan from the current USDA (formerly Farmers Home Administration) of \$341,000. These funds were used to acquire land and construct 3 parking lots in the downtown business district (1-behind Georgia House, 2-across from Park Place, 3-across N. Walnut from Wilmington Trust). The loan had a 30 year payout. In September, 2009 we paid off the loan one year early. We have stopped collecting the special tax, now that the loan is paid off.

The Parking Authority Board is requesting that the City take over ownership of the parking lots and dissolve the Parking Authority. The City has always provided for the routine maintenance and cleaning of the lots, as part of the original establishment agreement. The current assets of the Authority consist of cash (\$10,494.), uncollected taxes (\$5,099.), and the 3 parking lots. There are no known liabilities.

Delaware Code Title 22, Chapter 5, Section 513 details the procedure for Termination of a Parking Authority.

The city manager stated the issues before council is whether the parking authority should continue with the ongoing ownership and maintenance or is there another function for the parking authority.

Mr. Brooks said they collected money from merchants downtown to buy land and construct parking lots for the downtown areas. He does not believe it is still needed because three lots were purchased and built. He recalls the intent was to pay the mortgages off which was accomplished. Mr. Morrow suggests getting some feedback from the downtown businesses before a decision is made.

Mr. Adkins asked that Abe Ellison, who was in attendance, speak on the subject. Mr. Ellison explained he was a downtown property owner when the parking authority was first formed. He explained the downtown property owners were taxed by each running foot of sidewalk they owned. He recalled there were no parking requirements for those businesses because of the availability of parking through the use of these parking lots which was very convenient for those business owners. He then asked if there is a need for any additional funds to continue the maintenance of the lots.

Mayor Marabello advised those businesses are no longer being charged any fees associated with the parking authority.

The city manager confirmed the letter stated the parking authority is no longer collecting the special tax because the loan was paid in full. He said the city has always provided routine maintenance for those parking lots as was initially agreed.

Mr. Baird agreed the lots may need some attention at some point in the future. He said an investment will be needed, whether it is now or over the next couple of years, due to their current condition. A preliminary estimate of \$70,455 was received to resurface the lots. Some additional discussion is needed on the city's interest in moving forward.

Mr. Brooks feels that is why those businesses are paying property taxes in addition to these special taxes. He has no problem taking it over to help the merchants downtown. If the city does not take it over, another tax will need to be assessed to properly maintain them.

The mayor asked why the city formed a parking commission to handle this in the first place; Mr. Ellison explained that when the authority was established, city council felt there was a need to form a group to begin the process and oversee it. He said that thirty to forty years ago, there were no places to park other than on Main Street. The only parking lots downtown were filled and were privately owned. He said over the years, the business owners were very satisfied with the parking authority and their goals.

Mr. Ellison's concern is if the city completely takes over the parking lots knowing there is a need for upkeep and immediate maintenance, perhaps the authority should continue though the special tax could be lowered. In that manner, there would still be funds for any work that was needed. He does not feel it is the city's responsibility to pay for the maintenance of the lots.

The mayor asked how any future parking lots would be handled; Mr. Ellison said that was included in the original plans as well as any new parking lots required to meet the needs of those downtown businesses. The mayor asked if that need came, would it benefit to keep the authority intact only as a vehicle to borrow money without assessing the special tax.

Mr. Adkins pointed out those parking lots are vital to the city during special events such as the Bug n Bud Festival and the Riverwalk and not just for the benefit of the downtown businesses.

The mayor is concerned about additional parking that may be needed in the downtown because of the manner in which the downtown is improving. Therefore, he agrees it may be beneficial to keep the authority active.

Mr. Baird suggested that he met with members of the parking authority to further discuss this matter. He also recommends that some of the downtown merchants be included. In that way, they can provide a short term and long term plan on how to handle it.

Mr. Ellison confirmed that Randy Marvel is still involved with the parking authority; Mr. Ellison volunteered his assistance as well.

The mayor concluded by saying the matter will be further discussed.

MONTHLY FINANCE REPORT

Mr. Morrow reported that through the eighth month of Fiscal Year 2009-2010 with 67% of the fiscal year having passed, 67.23% of revenues have been received and 60.74% of the operating budget expended.

Budget meetings with department heads will begin next week in preparation of the new fiscal year. The budget hearings will be held in June.

With no further questions or comments, Mr. Morrow moved to accept the February 2010 Finance Report, seconded by Mr. Spillane. Motion carried.

EXECUTIVE SESSION

No executive session was held due to the absence of the planning commission applicants.

ADJOURN

With no additional business, Mr. Adkins moved to adjourn the Monthly Meeting, seconded by Mr. Brooks. Motion carried.

The Monthly Meeting was adjourned by Mayor Marabello at 8:56 p.m.

Respectfully submitted,



Terri K. Hudson, CMC
City Clerk/Recorder